IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1391 of 2007()

CRIME NO.487/2006 OF CHERPU POLICE STATION

PETITIONER/ACCUSED NO.1 TO 5

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1. AJAYAGHOSH.A.R., AGED 32,
   S/O.RAMAKRISHNAN, ANTHIKKAVIL HOUSE,
   KARUVANNUR, THRISSUR.

2. BABUTTAN.K.K., AGED 37,
   KUTTAN, KUNDOOR HOUSE, VALLACHIRA, THRISSUR.

3. MOHAN, AGED 45,
   S/O.RAVUNNY, MELATHUPARAMBIL HOUSE,
   VALLACHIRA, THRISSUR.

4. SHIBU.P.K., AGED 28,
   S/O.KRISHNAN KUTTY, POOLATH HOUSE,
   PO. VALLACHIRA, THRISSUR.

5. SURESH.P.R., AGED 30, S/O.RAMADEVAN,
   PANIKKASSERY HOUSE, CHENAM, CHERPU P.O.,
   THRISSUR.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS: COMPLAINANT/STATE

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1. SUB INSPECTOR OF POLICE,
   CHERPU POLICE STATION, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM, COCHIN-682 031.

2. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1391/2007

Dated this 8th day of March, 2007

O R D E R

The petitioners who are accused Nos. 1 to 5 in Crime No.487/2006 of Cherpu Police Station for offences punishable under Sections 143, 147, 148, 452, 324, 294(b), 506(i), 427 and 308 IPC read with Section 149 IPC and also under Section 27 of the Arms Act, 1959, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place at 8.30 p.m on 11.12.2006 during which two persons sustained injuries consequent on the attack on them by seven named accused persons and 14 identifiable persons allegedly armed with deadly weapons like sword, cricket stumps, iron rods etc.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their applications for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are

directed to surrender before the Investigating Officer on any day between 14.3.2007 and 16.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. Thereafter, the petitioners shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of the applications, if any, filed by the petitioners for regular bail preferably on the same day on which the applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs